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JUL 01 2004

In re Application of
Edward L. Sughure et al.
Application No. 10/607,043
Filed: June 26, 2003
Attorney Docket No. 34035US

OFFICE OF PETITIONS

:
: **DECISION ACCORDING STATUS**
: **UNDER 37 CFR 1.47(a)**
:

This is in response to the renewed petition filed June 14, 2004 under 37 CFR 1.47(a).

The petition is **GRANTED**.

The above-identified application was filed on June 26, 2003, naming Edward L. Sughure, Bobby G. Cockrell, Glenn W. Dodwell and Brent J. Bertus without a signed declaration. Accordingly, on September 15, 2003, a "Notice To File Missing Parts of Application" was mailed, requiring *inter alia* a properly executed oath or declaration.

In response, on December 23, 2003, a petition under 37 CFR 1.47(a) was filed but was dismissed in a decision mailed March 16, 2004. This renewed petition is filed with a request for a one month extension of time and copies of a letter mailed to the non-signing inventor, Brent J. Bertus. The letter mailed May 14, 2004, included a copy of the complete application and proof of delivery to Mr. Bertus.

A grantable petition under 37 CFR 1.47(a) requires: (1) proof that the non-signing inventor cannot be reached or refuses to sign the oath or declaration after having been presented with the application papers (specification, claims and drawings); (2) an acceptable oath or declaration in compliance with 35 U.S.C. §§ 115 and 116; (3) the petition fee; and (4) a statement of the last known address of the non-signing inventor.

The petition bears proof that by his actions, Mr. Bertus refuses to execute the declaration.

The above-identified application and papers have been reviewed and found in compliance with 37 CFR 1.47(a). In view thereof, this application is hereby accorded Rule 1.47(a) status.

Thus, as provided in Rule 1.47c, this Office will forward notice of this application's filing to the non-signing inventor at the address given in the petition. Notice of the filing of this application will also be published in the Official Gazette.

The application is being forwarded to the Office of Initial Patent Examination for further processing.

Telephone inquiries concerning this matter may be directed to the undersigned Petitions Attorney at (703) 305-4497.

Patricia Faison-Ball
Senior Petitions Attorney
Office of Petitions



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BRENT J. BERTUS
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JUL 01 2004

OFFICE OF PETITIONS

In re Application of
Edward L. Sughure et al.
Application No. 10/607,043
Filed: June 26, 2003
Title of Invention:
DESULFERIZATION WITH OCTANE
ENHANCEMENT

Dear Mr. Bertus:

You are named as a joint inventor in the above identified United States patent application, filed under the provisions of 35 U.S.C. 116 (United States Code), and 37 CFR 1.47(a), Rules of Practice in Patent Cases. Should a patent be granted on the application you will be designated therein as a joint inventor.

As a named inventor you are entitled to inspect any paper in the file wrapper of the application, order copies of all or any part thereof (at a prepaid cost per 37 CFR 1.19) or make your position of record in the application. Alternatively, you may arrange to do any of the preceding through a registered patent attorney or agent presenting written authorization from you. If you care to join the application, counsel of record (see below) would presumably assist you. Joining in the application would entail the filing of an appropriate oath or declaration by you pursuant to 37 CFR 1.63.

Telephone inquiries regarding this communication should be directed to the undersigned Petitions Attorney at (703) 305-4497. Requests for information regarding your application should be directed to the File Information Unit at 703/308-2733. Information regarding how to pay for and order a copy of the application, or a specific paper in the application, should be directed to Certification Division at 703/308-9726 or 1-800-972-6382 (outside the Washington D.C. area).

Patricia Faison-Ball
Senior Petitions Attorney
Office of Petitions

cc:

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